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**LEGISLATIVE EDUCATION STUDY COMMITTEE**  
**BILL ANALYSIS**  
**54th Legislature, 1st Session, 2019**

<b>Bill Number</b>	<u>SB522/aSRC/aSEC</u>	<b>Sponsor</b>	<u>Stewart</u>
<b>Tracking Number</b>	<u>.213466.2</u>	<b>Committee Referrals</b>	<u>SRC/SEC</u>
<b>Short Title</b>	<u>Commission on Equity and Excellence in Education</u>		
<b>Analyst</b>	<u>Sena</u>	<b>Original Date</b>	<u>2/19/19</u>
		<b>Last Updated</b>	<u>3/10/19</u>

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**BILL SUMMARY**

Synopsis of SEC Amendment

The Senate Education Committee Amendment to the Senate Rules Committee Amendment to SB522 (SB522/aSRC/aSEC) extends a nonrecurring, special appropriation from the General Appropriation Act of 2018 to the Legislative Education Study Committee (LESC) for use in FY20 to pay for the costs of the commission on equity and excellence in education. Any unexpended or unencumbered balance at the end of FY20 would revert to the general fund.

Synopsis of SRC Amendment

The Senate Rules Committee Amendment to SB522 (SB522/aSRC) specifies that the lieutenant governor serve on the commission on equity and excellence. Provisions in the original bill indicate the lieutenant governor would serve as chair of the commission, but did not explicitly make the lieutenant governor a member of the commission.

Synopsis of Original Bill

Senate Bill 522 (SB522) would create a commission on equity and excellence in education and require the commission to develop a long-term plan to transform public education in New Mexico.

**FISCAL IMPACT**

The SEC amendment includes the reauthorization of a \$100 thousand appropriation made in the General Appropriation Act of 2018. The appropriation was made to pay for an education gap analysis and benchmarking study, contingent on matching funds from other than state sources. The appropriation was not spent and would revert to the general fund at the end of FY19 without reauthorization.

**SUBSTANTIVE ISSUES**

**Members.** SB522/aSRC/aSEC would create the commission on equity and excellence in education made up of 21 members who are culturally and geographically diverse and who represent teachers

and school principals, school board members, local superintendents, charter schools, school business officials, the business community, post-secondary institutions and teacher preparation programs, tribal leaders and parents of public school students. Nine of the members would be appointed by the governor, six would be appointed by president pro tempore of the senate, and six would be appointed by the speaker of the house.

The commission would also include the chairs and vice chairs of the LESC and the Legislative Finance Committee (LFC), and one senator and one representative who are members of the minority party and appointed by their respective leadership. The lieutenant governor would serve as chair of the commission.

The lieutenant governor and secretaries of the Public Education Department (PED), Higher Education Department, Children, Youth, and Families Department, and Department of Workforce Solutions, or their designees would also be on the commission.

The PED, LESC, and LFC would be required to provide staff for the commission.

***Duties.*** The commission would be required to review the Decision and Order, the Findings of Fact and Conclusions of Law, and the Final Judgment issued by the First Judicial Court in the *Martinez* and *Yazzie* consolidated lawsuit; study high-performing education systems nationally and internationally; and study how PED and public school systems are using annual appropriations to close the achievement gap and improve student learning for all students.

The commission would be required to make findings and recommendations that ensure equitable access to high-quality curriculum, instruction, and resources; ensure a diverse, culturally competent educator workforce; provide for whole child supports such as high-quality early childhood programs and wraparound services; and ensure a coordinated and effective governance structure across multiple state agencies.

The commission would be required to report to the governor, LESC, and LFC on or before September 1, 2020 and the 1<sup>st</sup> day of September of each succeeding year. The commission would be required to present a final report on or before June 30, 2023.

## **ADMINISTRATIVE IMPLICATIONS**

Several individuals would be responsible for appointing members to the commission. PED, LESC, and LFC would be required to provide staff.

## **OTHER SIGNIFICANT ISSUES**

***Maryland Commission.*** Other states have taken similar steps to study and improve their educational systems. Maryland, for example, established a Commission on Innovation and Excellence in Education. The commission was charged with reviewing the findings of an adequacy study, reviewing the state's funding formula, determining how the federal Every Student Succeeds Act would affect primary and secondary education in the state, determining how the state can help students become college and career ready, and reviewing how local school districts spent education funds. The commission was also tasked with making recommendations on legislation and policy initiatives to enhance the availability of innovative educational opportunities and to enhance the adequacy and equity of state funding for prekindergarten through grade 12 public education.

The commission asked the National Center on Education and the Economy (NCEE) to perform a gap analysis that compared Maryland’s performance with that of successful education systems from around the world. The commission also used the NCEE’s *9 Building Blocks for a World Class Education* as a guide for how to align Maryland’s education practices with those of successful countries. The Maryland process began in August of 2016 and is ongoing.

Creating such a commission in New Mexico would allow stakeholders to review actions taken by the legislature, as well as policies and practices already in place, to address Judge Sarah Singleton’s Findings of Fact and Conclusions of Law in the consolidated *Martinez* and *Yazzie* lawsuit that New Mexico is providing an inadequate education for at-risk students.

### **TECHNICAL ISSUES**

On page 3, line 16, the phrase “to consider” seems unnecessary. The sponsor should consider striking the phrase.

### **SOURCES OF INFORMATION**

- LESC Files

**JDS/mc**